



Promoting the wise use of land
Helping build great communities

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

3-1

SUBDIVISION REVIEW BOARD

MEETING DATE July 10, 2006	CONTACT/PHONE Stephanie Fuhs (805) 781-5721	APPLICANT Matt Kirby	FILE NO. CO 02-0057 SUB2005-00183
SUBJECT Hearing to consider a request by Matt Kirby for a reconsideration of Parcel Map CO02-0057 to relocate the existing building envelope on Parcel 3 approximately 200 feet to the north to allow construction of a single family residence. The proposed project is within the Residential Rural land use category and is located on the north side of Hischier Lane, approximately 1,500 feet east of Corbett Canyon Road, in the Arroyo Grande Fringe approximately three miles north of the City of Arroyo Grande. The site is in the San Luis Bay planning area.			
RECOMMENDED ACTION 1. Consider and rely on the Negative Declaration (ED that was previously approved on May 5, 2003 for Parcel Map CO 02-0057). 2. Approve the reconsideration for Parcel Map CO02-0057 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted on May 5, 2003 for Parcel Map CO 02-0057.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 044-281-050	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None Applicable			
LAND USE ORDINANCE STANDARDS: None applicable			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/Residences <i>East:</i> Residential Rural/Residences <i>South:</i> Residential Rural/Residences <i>West:</i> Residential Rural/Residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, CDF			
TOPOGRAPHY: Gently to moderately sloping		VEGETATION: Grasses, forbs, oak woodland, coastal scrub	
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF		ACCEPTANCE DATE: March 17, 2006	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

BACKGROUND:

Parcel Map CO02-0057 (TLC and Development), a three-lot parcel map, was approved by the Subdivision Review Board on May 3, 2003. Building envelopes were proposed with the tentative map for areas of Parcels 2 and 3 that did not appear to contain significant botanical resources and would not be visible from Corbett Canyon Road. Conditions of approval for the parcel map required a subsequent botanical report be prepared because a botanist on the Environmental Division's approved list did not do the botanical report submitted for the tentative map. The report was also done out of season and did not adequately cover possible impacts to rare or threatened plant species. The approved conditions were worded in such a way that if resources were found, that certain mitigation measures would apply (see attached Mitigated Negative Declaration and previously approved conditions of approval).

The subsequent botanical report for the property found the federally listed Pismo Clarkia on the project site, primarily on Parcel 1 and a small area on Parcel 2. The report also found some scattered Lompoc Ceanothus on Parcel 2. No rare or endangered plants were found on Parcel 3, the parcel under consideration with this project.

The proposed location of the new, approximately 10,000 square foot building envelope is approximately 200 feet to the north of the original envelope. No trees will be removed or impacted as part of the relocation. In addition, the relocation of the building envelope will not be visible from Corbett Canyon Road.

STAFF COMMENTS:

Since the location of the proposed building envelope will not involve the removal of any rare or threatened plant species, tree removal, or visual impacts, staff is supporting the request to relocate the building envelope to the location shown on the attached map. Mitigation measures applicable to oak tree protection, air quality, drainage, and sedimentation and erosion control will remain as originally approved.

AGENCY REVIEW:

Public Works – If driveway is on Parcel 2, an additional easement is needed.

Environmental Health – No comments received

Building Division - Need percolation tests, no septic systems on slopes over 30%

CDF – See attached fire safety plan

LEGAL LOT STATUS:

The one lot was legally created by a recorded map (Parcel 3 of Parcel Map CO 02-0057) at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

**FINDINGS - EXHIBIT A
FINDINGS FOR RECONSIDERATION
OF RECORDED PARCEL MAP CO02-0057**

Environmental Determination

- A. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted on May 5, 2003 for Parcel Map CO 02-0057.

Reconsideration

- B. Relocation of the building envelope for Parcel 3 of CO02-0057 approximately 200 feet to the north to allow construction of a single family residence is justified because the location of the original building envelope for the tentative parcel map was based on areas of the site that were unlikely to contain rare or threatened plant species. Subsequent botanical reports on the property have determined that the location of the proposed building envelope does not contain rare or threatened plant species or involve the removal of any trees or significant native vegetation.
- C. The modification does not impose any additional burden on the present fee owner of the property.
- D. The modification does not alter any right, title, or interest in the property reflected on the recorded map.

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**CONDITIONS - EXHIBIT B
SUB 2005-00183 (Kirby)**

Approved Project

1. A reconsideration of Parcel Map CO02-0057 to relocate the existing building envelope on Parcel 3 approximately 200 feet to the north to allow construction of a single family residence.

Mitigation Agreement

2. **Within 180 days of approval of this reconsideration**, the applicant shall enter into an agreement, in a form approved by County Counsel, which includes the following:
 - a. An exhibit showing the exact location and size (not approximate) of the relocated building envelope on Parcel 3.
 - b. **Prior to issuance of grading or construction permits and prior to any grading**, all oak trees remaining on-site that are located within fifty feet of proposed grading and construction for future residences and driveways shall be marked for protection (e.g., with flagging) and the root perimeter of the trees shall be staked or fenced (which shall be one and one-half times dripline measured from the trunk).
 - c. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the Department of Planning and Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
 - d. All trees to remain on-site that are within fifty feet of the construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree.
 - e. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Conditions required to be completed at the time of application for construction permits

3. **At the time of application for construction permits**, the applicant shall submit plans that show all trees within 50 feet of all construction activities, including driveway improvements. No trees shall be removed or impacted by any construction activities.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated April 26, 2006.

Services

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

7. **At the time of application for construction permits**, the applicant shall submit percolation tests, to be reviewed and approved by the Building Division.
8. **At the time of application for construction permits**, the applicant shall submit plans showing the location of the driveway/easement serving Parcel 3. If the driveway is on Parcel 2, an additional easement needs to be recorded.

Conditions to be completed prior to issuance of a construction permit

Biological Resources

9. **Prior to issuance of grading or construction permits and prior to any grading**, all oak trees remaining on-site that are located within fifty feet of proposed grading and construction for future residences and driveways shall be marked for protection (e.g., with flagging) and the root perimeter of the trees shall be staked or fenced (which shall be one and one-half times dripline measured from the trunk).
10. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the Department of Planning and Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.

Fees

11. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to any site disturbance

12. All trees to remain on-site that are within fifty feet of the construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree.
13. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

14. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
15. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
16. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

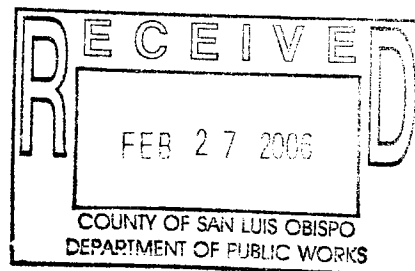


SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

3-6

VICTOR HOLANDA, AIC
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 2-22-06

From PW ajm
To

FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB2005-00183 Applicant: KIRBY
Parcel map CO 02-0057. Reconsideration for re-
location of bldg. envelope. Site located off Hirschier
Ln. APN: 044-281-050
Return this letter with your comments attached no later than: 3-9-06

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

The "PROPOSED bldg envelope" shows road access (beyond cul-de-sac)
AND going over Adjoiner Parcel 2. This Requires AN
Access EASEMENT over the Adjoiner. OR DWY ALL on Parcel 3.

Date MAR 14-2006

Name DAN MANLON

Phone 781-5275

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

Parcel Map

GENERAL APPLICATION

San Luis Obispo County Department of Planning and

RECONSIDERATION FOR RELOCATION OF
ONE BUILDING ENVELOPE ON LOT 3
SLB/ AGFR

RR

3-7**APPLICATION TYPE CHECK ALL THAT APPLY**

- ☐ Public Lot ☐ Voluntary Merger ☐ Certificate of Compliance ☐ Lot Line Adjustment
☒ Parcel Map ☐ Tract Map ☐ Receiving Site ☐ Sending Site
☐ Condominium (new or conversion) ☐ Road Abandonment ☐ Road Name
☐ Reversion to Acreage ☒ Reconsideration

APPLICANT INFORMATION Check box for contact person assigned to this project

☐ Landowner Name _____ Daytime Phone _____
 Mailing Address _____ Zip _____
 Email Address: _____

☒ Applicant Name MATT KIRBY Daytime Phone 858 538 5410
 Mailing Address 12503 JUNCANCE AVE Zip S.D., CA 92129
 Email Address: MKKR@SRCGLOBAL.NET
☒ Agent Name Tom McNeill Daytime Phone 805 550-1168
 Mailing Address 539 MARSH ST SLO Zip 934 01
 Email Address: MC SLO@AOL.COM

PROPERTY INFORMATION

Total Size of Site: 5.35 AC NET Assessor Parcel Number(s): 044-281-050
 Legal Description: LOT 3 CORBET TRACT OF THE RANCHO CORRAL DE PIEDRA, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA
 Address of the project (if known): LOT #3 of HISCHEER LN
 Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: CORBET CANYON to HISCHEER LANE

Describe current uses, existing structures, and other improvements and vegetation on the property:
VACANT LAND

PROPOSED PROJECT

Describe the proposed project (inc. size of all proposed parcels): Reconsider To Amend parcel map # CO 02-0057. specific amendment to relocate building envelope

LEGAL DECLARATION

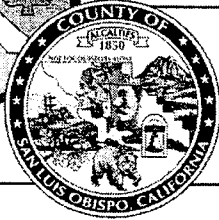
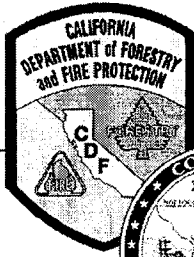
I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature _____ Date _____

FOR STAFF USE ONLY

Minimum Parcel Size: _____ ☐ sq. feet ☐ acres ☐ by PAS? ☐ by Ordinance?

(5)



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CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

April 26, 2006

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # SUB2005-00183/Kirby

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed two parcel subdivision project located at Hischier Ln., Arroyo Grande. This project is located approximately 12-15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a high fire severity zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - Parcels less than 1 acres 800 feet
 - Parcels 1 acre to 4.99 acres 1320 feet
 - Parcels 5 acres to 19.99 acres 2640 feet
 - Parcels 20 acres or larger 5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.

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- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,



Gilbert R. Portillo
Fire Inspector

c: Mr. Matt Kirby, owner
Tom McNeill



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

3-10

VICTOR HOLANDA, AIC
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 2-22-06

TO: Bldg. Div.

FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB2005-00183 Applicant: KIRBY
Parcel Map C.O. 02-0057. Reconsideration for re-
location of bldg. envelope. Site located off Hischier
Ln. APN: 044-281-050
Return this letter with your comments attached no later than: 3-9-06

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Only concern we have is there is Adequate
Room for on-site George Chippendale Systems
and NECESSARY grading & Building permits are Applied.
2/28/06 V. MORALES 781-5625
Date Name Phone



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

3-11

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 2-22-06

TO: Ag

FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB2005-00183 Applicant: KIRBY
Parcel map C.O. 02-0057. Reconsideration for re-
location of bldg. envelope. Site located off Hirschier
Ln. APN: 044-281-050
Return this letter with your comments attached no later than: 3-9-06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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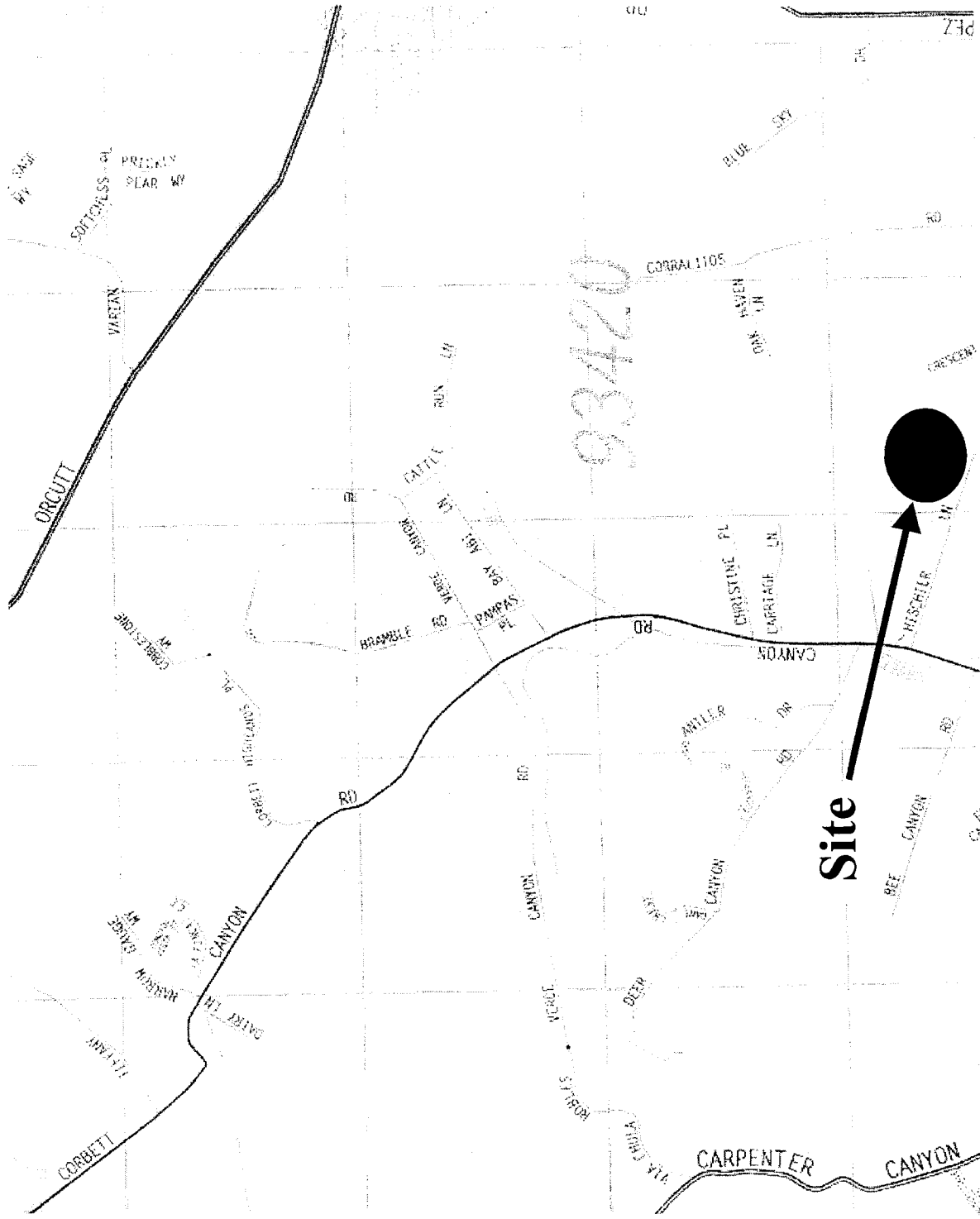
NO COMMENT

3/1/06
Date

L. ROCHINACHIE
Name

781-5914
Phone

3-12



Exhibit

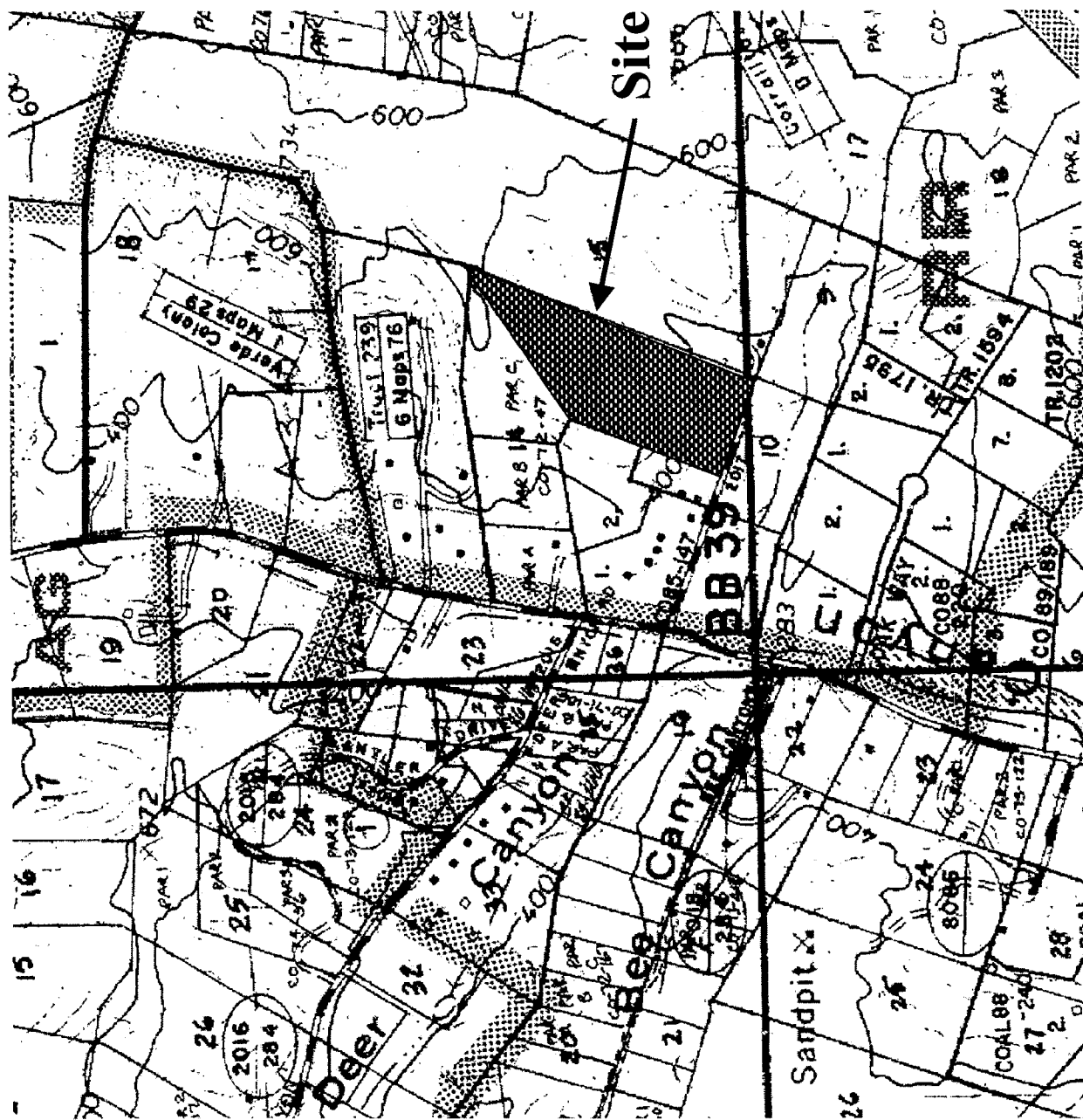
VICINITY MAP



Project

Kirby Reconsideration of Parcel Map

CO.02- 57 (SUB2005-00183)



Exhibit

Land Use Category Map

**Project Kirby Reconsideration of Parcel Map
CO 02-0057 (SUB2005-00183)**

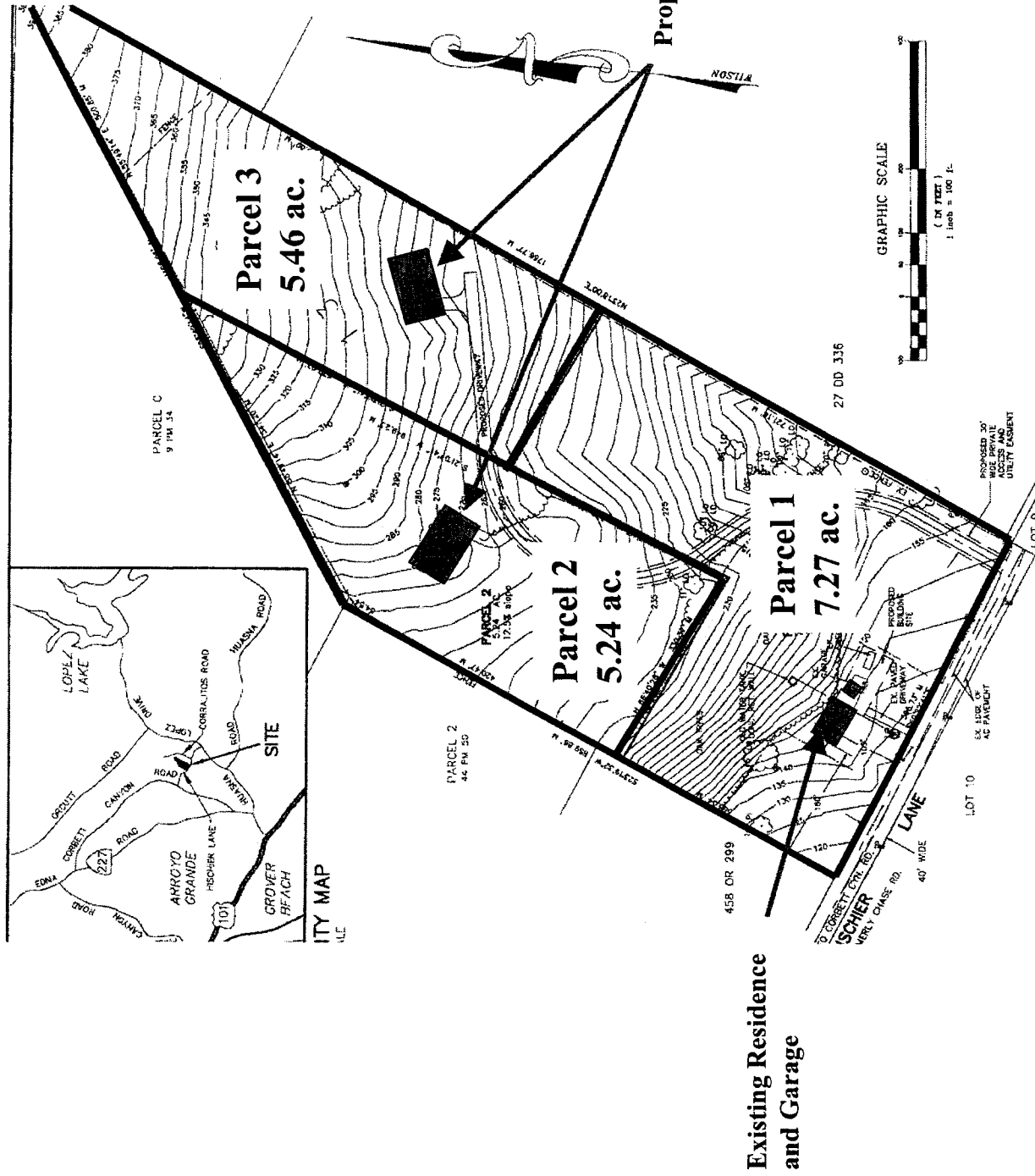


Exhibit
Approved Parcel Map

Project
Kirby Reconsideration of Parcel Map
CO 02- 37 (SUB2005-00183)

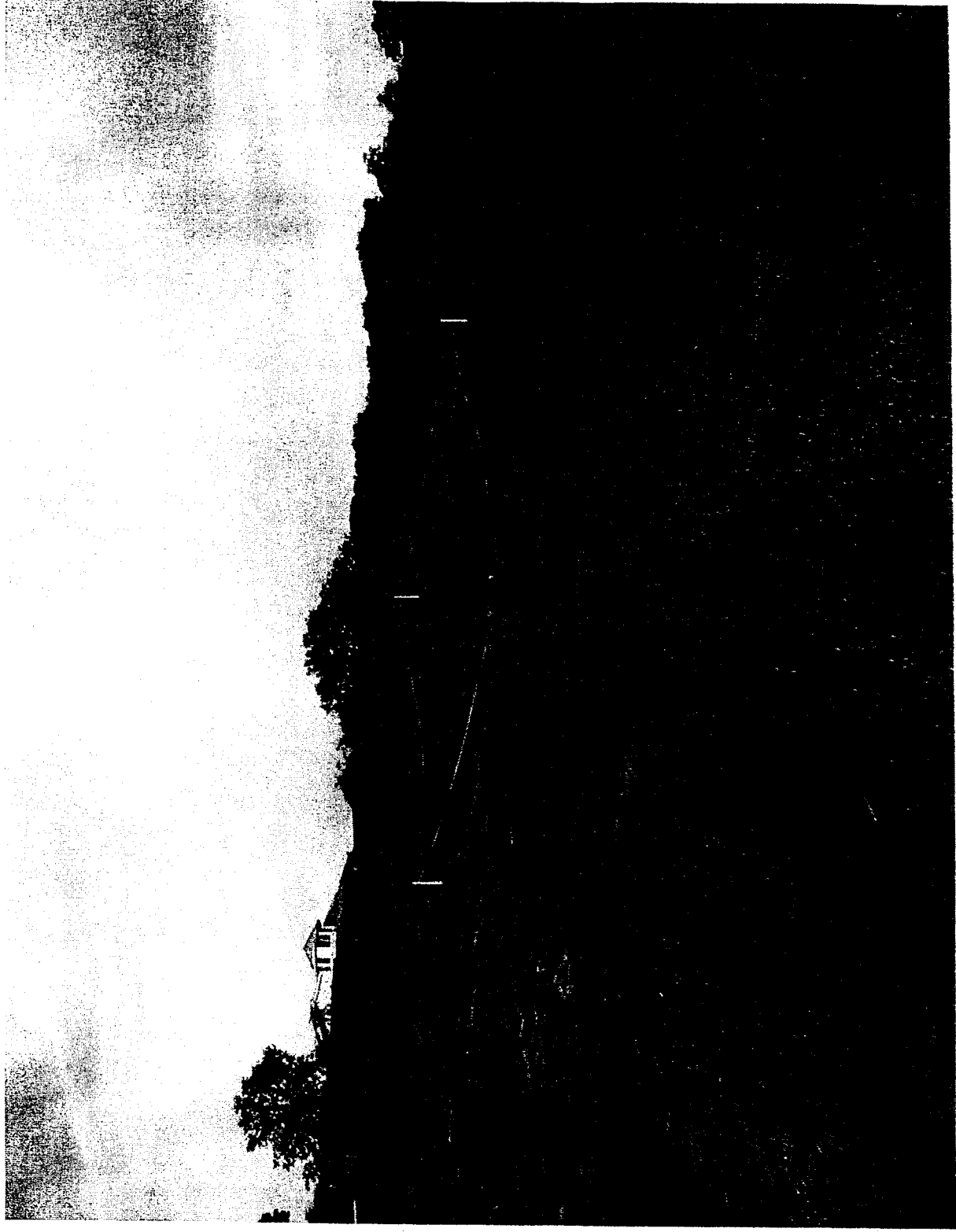


Project
Kirby Reconsideration of Parcel Map
CO02-0057 (SUB2005-00183)



Exhibit
Aerial showing proposed change of
building envelope

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Project

Kirby Reconsideration of Parcel Map

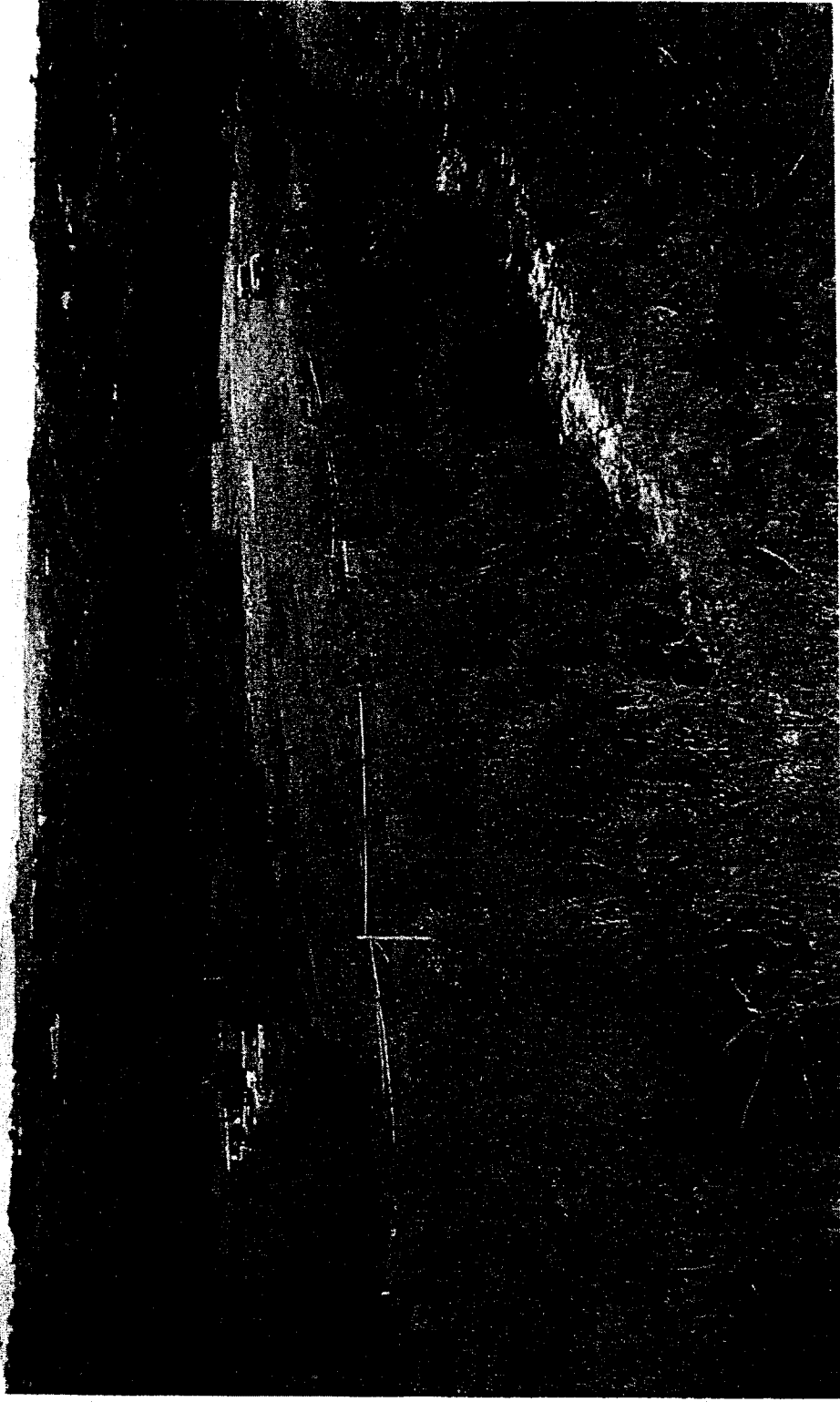
CO02-07 (SUB2005-00183)



Exhibit

Photo showing staked area of the proposed building envelope (looking north)

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Project
Kirby Reconsideration of Parcel Map
CO02-0057 (SUB2005-00183)



Exhibit
Photo showing staked area of the proposed
building envelope (looking south)

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COUNTY OF SAN LUIS OBISPO

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FOR OFFICIAL USE ONLY (SF)

4-11

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED02-063

DATE: 4/11/03

PROJECT/ENTITLEMENT: TLC and Development, LLC Parcel Map CO 02-0057(S010316)

APPLICANT NAME: TLC and Development LLC

ADDRESS: P.O. Box 4189, Paso Robles, CA 93447

CONTACT PERSON: William Betts

Telephone: (805)720-2145

PROPOSED USES/INTENT: A request to subdivide an existing 17.96 acre parcel into three parcels of 5.24, 5.46 and 7.27 acres each for the sale and/or development of each proposed parcel.

LOCATION: The project is located on Hischier Lane, approximately 600 feet east of Corbett Canyon Road, north of the City of Arroyo Grande, in the San Luis Bay (Inland) Planning Area.

LEAD AGENCY: County of San Luis Obispo Address: Planning & Building Dept. (Rm. 310)
County Government Center
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting someone at the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on _____
20-DAY 30-DAY PUBLIC REVIEW PERIOD ENDS AT 5 p.m. on _____

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Signature

Title

Date

County of San Luis Obispo

Public Agency



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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. TLC and Development, LLC Parcel Map CO 02-0057,
(S010316); ED02-063

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

☒ Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

STEPHANIE FUHS
Prepared by(Print)

Stephanie Fuhs
Signature

4/10/03
Date

Steven McMaster
Reviewed by(Print)

Steven McMaster
Signature

Ellen Carroll,
Environmental Coordinator
(for)

4/10/03
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: - Proposal by TLC and Development, LLC, for a vesting tentative parcel map to allow for the subdivision of an existing 17.96 acre parcel into three parcels of 5.24, 5.46 and 7.27 acres each. The project is located on Hischier Lane, approximately 600 feet east of Corbett Canyon Road, north of the City of Arroyo Grande, in the San Luis Bay (Inland) Planning Area.

ASSESSOR PARCEL NUMBER(S): 044-281-050

SUPERVISORIAL DISTRICT #4

B. EXISTING SETTING

PLANNING AREA: San Luis Bay Inland - Rural Arroyo Grande

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None

EXISTING USES: One single family residence on proposed parcel 1, undeveloped parcels 2 and 3

TOPOGRAPHY: Moderately to steeply sloping

VEGETATION: Grasses, forbs, oak woodland

PARCEL SIZE: 17.96 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture/Scattered residences

East: Residential Rural/Scattered residences

South: Residential Suburban/Scattered residences

West: Residential Suburban/Scattered residences

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

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COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically offensive site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to the public?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located on Hischier Lane, a local road which runs in an east-west direction in front of the project site. Corbett Canyon Road runs in a north-south direction perpendicular to Hischier Lane. The area is primarily Rural Residential with scattered residences on predominately five acre parcels.

Impact/Mitigation/Conclusion. The proposed project could potentially result in the construction of two additional primary structures, and three secondary dwellings and residential accessory structures which is consistent with the surrounding neighborhood. Any proposal for secondary dwellings would need Minor Use Permit approval because the property is located within the Arroyo Grande Fringe area. No significant visual or aesthetic issues should result from this level of development because the proposed parcels are not visible from Corbett Canyon Road.

2. AGRICULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil types include: C103 Arnold loamy sand, C136 Elder sandy loam, C142 Gaviota fine sandy loam. As described in the NRCS Soil Survey, this soil is considered Class III, & VII (non-irrigated) and Class II, & N/A (irrigated).

Impact/Mitigation/Conclusion. The property has fairly steep slopes which would not be conducive to most agricultural uses and is zoned for low density residential uses. The proposed subdivision is consistent with the land use category and existing development patterns and is not anticipated to conflict with any existing agricultural uses.

3. AIR QUALITY - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project was referred to the Air Pollution Control District (APCD) for potential air quality impacts and consistency with the Clean Air Plan (CAP). The APCD response identified (see attached), that the project is inconsistent with CAP land use strategies.

New residence(s) will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reducing single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements, encouraging carpooling through park-and-ride lot improvements and ridesharing advertising, promoting the use of bicycles through bike lane installation, reducing dust through limited road paving of several unpaved roads, and by providing electronic information/services locally to reduce vehicle trip lengths.

In 1994, the South County Area Plan was adopted and associated EIR certified. As a part that analysis, a cumulative assessment of the buildout impacts of the area plan was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan would offset some of these impacts.

The Clean Air Plan includes land use management strategies to guide decisionmakers on land use approaches that result in improved air quality. As identified by APCD, this development is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. In this instance, this partial inconsistency is not considered significant for the following reasons: 1) the proposed density of this subdivision is still consistent with what was assumed in the last update of the Clean Air Plan, which, based in part on this density, approved the necessary control measures to achieve acceptable air quality attainment in the future; and 2) standard forecast modeling (e.g., ARB URBEMIS2001) identifies that vehicles in the near future will produce substantially lower emissions (e.g., use of electric, hybrid and advanced technology vehicles). Based on the above discussion,

given the smaller number of potential new residences, both individual and cumulative impacts are expected to be less than significant as it relates to the Clean Air Plan land use strategies.

Mitigation/Conclusion. No significant increases in PM 10 and ozone are expected to occur with the subdivision and subsequent development of the three proposed parcels. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below the threshold warranting any mitigation. Therefore, no mitigation measures are necessary and the potential impacts are considered less than significant. Future concerns regarding demolition of the existing residence and developmental burning are included in the attached developers statement.

4. BIOLOGICAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. A botanical survey prepared in January 2002 (Sierra Delta Corporation) indicated no evidence of rare or special status plants occurring on the subject property. Lompoc Ceanothus, which is on the California Native Plant Society watch list, was found to occur, in limited number, on the north eastern portion of the property, outside of the proposed building envelopes. The site contains some areas of dense oak woodland on steep slopes. The project site is also in an area which is known to contain Pismo Clarkia, which is a special status plant, listed as rare and endangered. A subsequent survey was prepared in November 2002 (Sierra Delta Corporation) in order to show the areas of the project site that could potentially contain Pismo Clarkia. The attached developers statement contains requirements for an "in-season" survey to be completed prior to recordation of the final parcel map. Based on the findings of that survey, certain areas of the site may be restricted from development.

Impact. Development of the three proposed parcels will impact coastal scrub habitat and oak woodland.

Mitigation/Conclusion. The attached developers statement shows building envelopes which will minimize site disturbance for the dune scrub habitat and protect the oak woodland areas, and will also avoid the Lompoc Ceanothus on the project site. Trees removed shall be replaced at a 4:1 ratio and those trees impacted will be replaced at a 2:1 ratio. An "in-season" survey shall be completed, and appropriate mitigation measures shall be developed by the California Department of Fish and Game, the County Planning Department, and the Environmental Coordinator's Office based on the findings of that survey, which will reduce impacts to levels of insignificance.

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5. CULTURAL RESOURCES -*Will the project:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) *Disturb pre-historic resources?*☐☐☒☐b) *Disturb historic resources?*☐☐☒☐c) *Disturb paleontological resources?*☐☐☒☐d) *Other _____*☐☐☐☐

Setting/Impacts. The project is located in an area historically occupied by the Obispeno Chumash. A surface survey was conducted in February 2002 by Clay Singer which found isolated shell fragments, but no evidence of significant archaeological/cultural materials on the site.

Mitigation/Conclusion. No mitigation measures are required. However, for any disturbance of native soils during construction where cultural resources are encountered, the County Land Use Ordinance (Sec. 22.05.140 or 23.05.140) will apply. All work would cease until the Planning Department and the Environmental Division are notified, and a qualified archaeologist has looked at and recorded the resource encountered. If human remains are encountered the County Coroner would also be notified.

6. GEOLOGY AND SOILS -*Will the project:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) *Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?*☐☐☒☐b) *Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?*☐☐☐☒c) *Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?*☐☒☐☐d) *Change rates of soil absorption, or amount or direction of surface runoff?*☐☐☒☐e) *Include structures located on expansive soils?*☐☐☐☒f) *Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?*☐☐☒☐

3-26

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Geology. The topography of the project ranges from gently to moderately sloping. The area proposed for development is outside of the Geological Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered low to high. No active faulting is known to exist on or near the subject property. There is no evidence that measures above what will already be required by ordinance or code are needed.

Drainage. The area proposed for development is outside of the 100-year Flood Hazard designation. As described in the NRCS Soil Survey, these soils are very poorly drained to moderately drained. No specific measures above what will already be required by ordinance or code are considered necessary.

Sedimentation and Erosion. The soil types include: C103 Arnold loamy sand, C136 Elder sandy loam, C142 Gaviota fine sandy loam. As described in the NRCS Soil Survey, the soil surface is considered low to highly erodible and has a low shrink-swell characteristic.

Impact. The soil types found in the Arroyo Grande Fringe have high levels of erosion. Therefore, building sites should be located on sites that are more gently sloping to avoid erosion and sedimentation impacts.

Mitigation/Conclusion. The attached developers statement requires that before recordation of the parcel map, a drainage plan shall be prepared which includes measures for sedimentation and erosion control.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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4-19

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination and does not propose use of hazardous materials. No significant fire safety risk was identified.

Impact. No impacts as the result of hazards or hazardous materials are anticipated.

Mitigation/Conclusion. No mitigation measures are proposed because the project is not located in an area of known hazardous material contamination and does not propose the use of hazardous materials.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located on Hischier Lane, a local street with low levels of traffic. The noise generated on this road is not expected to increase significantly with the subdivision of the three proposed parcels.

Impact. The project will not generate nor is exposed to significant stationary or transportation related noise sources, therefore, no significant noise sources are expected to occur.

Mitigation/Conclusion. No mitigation measures are proposed, because this project is not expected to generate any significant stationary or transportation noise.

9. POPULATION/HOUSING - 3-28

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Will the project:

- a) *Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?*
- b) *Displace existing housing or people, requiring construction of replacement housing elsewhere?*
- c) *Create the need for substantial new housing in the area?*
- d) *Use substantial amount of fuel or energy?*
- e) *Other _____*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed subdivision will allow for the construction of two additional primary residences and potentially three secondary dwellings.

Mitigation/Conclusion. No mitigation measures are necessary because the proposed project will allow for additional housing units consistent with development in the neighboring area.

10. PUBLIC SERVICES/UTILITIES - *Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

- a) *Fire protection?*
- b) *Police protection (e.g., Sheriff, CHP)?*
- c) *Schools?*
- d) *Roads?*
- e) *Solid Wastes?*
- f) *Other public facilities?*
- g) *Other _____*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The closest CDF fire station is the Arroyo Grande station, which is about 3 miles from the proposed project. The closest Sheriff substation is in Arroyo Grande, which is about 3 miles from the proposed project

Impact. The proposed project will have cumulative/public service impacts in the following areas:

traffic, fire and police/sheriff protection, and schools. To minimize traffic impacts, the applicant is subject to a "fair share" fee for each new residence based on the County Public Works Department Fee Schedule. For fire and police/sheriff protection, the applicant is subject to a "fair share" fee through the Countywide Public Facilities fee program.

To minimize impacts to the school system, the State requires that the proposed project contribute its "fair share" based on the structure's square footage. In addition, the recent passage of Proposition 1A along with Senate Bill SB50, provides for a \$9.2 billion dollar state bond statewide for facility improvements of public school districts and California institutions of higher learning. These new laws also prohibit the county from imposing any fees or other requirements not specified in these statutes, as well as not allowing the county to deny or condition a project based on inadequate school facilities.

Mitigation/Conclusion. Public facilities and school fee programs are required to address impacts to public facilities and will reduce the cumulative impact to a level of insignificance.

11. RECREATION - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impacts. The County Trails Plan does not show a future trail being considered on the subject property.

Mitigation/Conclusion. No mitigation measures are necessary beyond payment of Quimby fees prior to recordation of the parcel map and Public Facilities fees at the time of building permit issuance because the proposed project will not have significant impacts to recreation facilities because it is not located near any park, trail or other recreational facility.

12. TRANSPORTATION/ CIRCULATION - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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4-22

12. TRANSPORTATION/**CIRCULATION - Will the project:**Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablef) **Result in inadequate internal traffic circulation?**☐☐☐☒g) **Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?**☐☐☒☐h) **Result in a change in air traffic patterns that may result in substantial safety risks?**☐☐☐☒i) **Other** _____☐☐☐☐

Setting. Future development will access onto Hischier Lane. Hischier Lane is a local road that is operating at an acceptable level of service.

Impact. Development of two additional single family residences and potentially three secondary residences would not generate additional levels of traffic that would affect the level of service on Hischier Lane. A referral was sent to County Public Works. No significant traffic concerns were identified.

Mitigation/Conclusion. Since no significant impacts were identified, no specific traffic-related mitigation measures are necessary.

13. WASTEWATER - Will the project:Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) **Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?**☐☐☐☒b) **Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?**☐☐☒☐c) **Adversely affect community wastewater service provider?**☐☐☐☒d) **Other** _____☐☐☐☐

Setting. Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type where the on-site wastewater system will be placed is C103 Arnold loamy sand, C136 Elder sandy loam, C142 Gaviota fine sandy loam. For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the soil's ability to percolate or "filter" effluent, the soil's depth and the slope on which the system is placed. To assure a successful system that meets the Central Coast Basin Plan, additional analysis or engineering is needed when one or more factors exist: the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch); the topography on which a system is placed is steep enough to potentially

allow "daylighting" of effluent downslope; or the separation between the bottom of the leach line to bedrock or high groundwater is less than five feet.

Based on the NRCS Soil Survey, the main limitation(s) of this soil for wastewater effluent include:

- a. **poor filtering characteristics** due to the very permeable soil;
- b. **shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface.
- c. **steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent.

Impact. The project proposes to use On-site septic system to handle wastewater effluent. Based on general knowledge of the area and the response received from the Environmental Health Division, it is expected that there will be adequate separation for filtering of effluent before reaching any groundwater source. Based on information from the Environmental Health Division, it is expected that there will be sufficient separation between leach line and bedrock to provide for adequate filtering of effluent. New leach lines should be located on slopes that are less steep to avoid daylighting of effluent.

Mitigation/Conclusion. Prior to final inspection of the wastewater system, the applicant will need to show compliance with the Central Coast Basin Plan, which should provide adequate measures to reduce potential impacts to less than significant levels. In addition to following the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit as follows: soil borings at leach line location showing that there is adequate separation, or if inadequate separation, plans for an engineered wastewater system that shows how the basin plan criteria can be met as required by Title 19, Building and Construction Ordinance.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact - Water Usage. The project proposes to use on site well as its water source. As proposed, the project will potentially result in two additional primary residences and three additional secondary dwellings. As shown below, a reasonable "worst case" indoor water usage would likely be about 3.54 acre-feet/year (afy):

$$3 \text{ residential lots (w/ primary \& secondary (or } 0.85 \text{ afy} + 0.33 \text{ afy) X 3 lots} = 3.54 \text{ afy}$$

The County Environmental Health Division has reviewed the proposed project and recommended stock conditions of approval for individual wells and on-site septic systems. In addition, comprehensive water data will be required for both parcels which will include a well completion report, pump test, and complete chemical analysis.

Mitigation/Conclusion. The County Environmental Health Division has reviewed the proposed project and has issued a "preliminary evidence" letter, indicating that enough information was provided to them to show the likelihood of sufficient water from on-site wells to serve the proposed project. To assure that adequate water will be available for the proposed development, the project will be subject to County's Title 19 (Building and Construction Ordinance, Sec. 19.20.238), which states that no grading or building permit shall be issued until either the water purveyor provides a written statement that potable water service will be provided (community systems), or an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval. To conserve water, the project will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240), which requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute; spas and hot tubs shall use recirculating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter. Prior to map recordation, the applicant will be required to install a well for each new parcel and prove that it can provide adequate water quality/quantity at sustainable levels for residential use.

15. LAND USE - Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to several agencies to review for various policy consistencies. The project was found to be consistent with these documents.

The proposed project is not within or adjacent to a Habitat Conservation Plan area.

The surrounding uses are as follows: North - Agriculture; South - Residential Suburban, Residential Rural; East - Residential Rural ; West - Residential Suburban. The proposed project is compatible with these surrounding uses all of the land uses provide for predominately low density residential development.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
----------------------------	--------------------------------------	-------------------------	-------------------

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.slocoplanbldg.com" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an "X") and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<u>X</u>	County Public Works Department	Attached
<u>X</u>	County Environmental Health Division	Attached
<u> </u>	County Agricultural Commissioner's Office	Not Applicable
<u> </u>	County Airport Manager	Not Applicable
<u> </u>	Airport Land Use Commission	Not Applicable
<u>X</u>	Air Pollution Control District	Attached
<u> </u>	County Sheriff's Department	Not Applicable
<u> </u>	Regional Water Quality Control Board	Not Applicable
<u> </u>	CA Coastal Commission	Not Applicable
<u> </u>	CA Department of Fish and Game	Not Applicable
<u>X</u>	CA Department of Forestry	Attached
<u> </u>	CA Department of Transportation	Not Applicable
<u> </u>	Community Service District	
<u>X</u>	Other Parks and Rec., City of Arroyo Grande	Attached

* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("✓") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<u>✓</u> Project File for the Subject Application	<u> </u> <u> </u> Area Plan and Update EIR
<u>County documents</u>	<u> </u> <u> </u> Circulation Study
<u> </u> Airport Land Use Plans	<u>Other documents</u>
<u>✓</u> Annual Resource Summary Report	<u>✓</u> Archaeological Resources Map
<u>✓</u> Building and Construction Ordinance	<u>✓</u> Area of Critical Concerns Map
<u> </u> Coastal Policies	<u>✓</u> Areas of Special Biological
<u>✓</u> Framework for Planning (Coastal & Inland)	<u> </u> Importance Map
<u>✓</u> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<u>✓</u> California Natural Species Diversity Database
<u> </u> Agriculture & Open Space Element	<u>✓</u> Clean Air Plan
<u>✓</u> Energy Element	<u>✓</u> Fire Hazard Severity Map
<u>✓</u> Environment Plan (Conservation, Historic and Esthetic Elements)	<u>✓</u> Flood Hazard Maps
<u>✓</u> Housing Element	<u>✓</u> Natural Resources Conservation
<u>✓</u> Noise Element	<u> </u> Service Soil Survey for San Luis Obispo County
<u> </u> Parks & Recreation Element	<u>✓</u> Regional Transportation Plan
<u>✓</u> Safety Element	<u>✓</u> Uniform Fire Code
<u>✓</u> Land Use Ordinance	<u>✓</u> Water Quality Control Plan (Central Coast Basin - Region 3)
<u>✓</u> Real Property Division Ordinance	<u> </u> Other <u> </u>
<u>✓</u> Trails Plan	<u> </u> Other <u> </u>
<u> </u> Solid Waste Management Plan	

In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Botanical Survey, Sierra Delta Corporation, January 2002 and November 2002

Exhibit B - Mitigation Summary Table

Air Quality	AQ-1	<p>Prior to demolition of the existing residence, the applicant shall contact the Air Pollution Control District in order to assure that issues surrounding demolition and disposal of asbestos containing material are properly addressed.</p> <p>No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.</p>
Biological BR-1 Resources		<p>Prior to map recordation, the applicant shall show on an additional map sheet the "development exclusion areas 'A' and 'B'", as shown on the tentative parcel map (see attached Exhibit "A"), unless amended by items #5 and #11 below. All future development shall be constructed outside of these exclusion areas.</p> <p>At the time of application for construction permits, the applicant shall clearly delineate the recorded development exclusion areas on the project plans. All new development shall be located outside of these exclusion areas.</p> <p>No further ground disturbing activities within the potential Pismo clarkia areas shall occur until they have been evaluated by an "in-season" survey (prepared by county-qualified botanist and reviewed by county) and appropriate mitigation incorporated into project design.</p> <p>Based in part on the Botanical Report (Sierra Delta Corporation, November 2002) prepared for the project site, the potential exists for Pismo clarkia within the identified habitat areas on Proposed Parcels 1, 2 and 3. Prior to map recordation, the applicant shall prepare a second map sheet, for county review and approval, that shows all Pismo clarkia habitat on site. Unless shown otherwise from item #5 below, all future buildings and areas of disturbance on Parcels 1, 2 and 3 shall be located outside the areas of potential Pismo clarkia habitat, as shown on the attached Exhibit A.</p> <p>No activities (e.g., installing structures, grading, site disturbance, native vegetation removal, access by domestic livestock, vehicle storage, landscaping, mowing, discing, etc.) likely to negatively affect the Pismo clarkia habitat shall occur within the areas of Pismo clarkia habitat.</p> <p>In addition, an open space easement, including a Memo of Understanding (MOU) with the California Department of Fish and Game, shall be established for the areas identified as significant.</p> <p>If the survey identifies that Pismo Clarkia exists in the area of the</p>

proposed access road on Parcel 1, an alternative location for the access driveway may be required. The alternative access shall be reviewed and approved by the California Department of Fish and Game and the Planning Department.

Prior to map recordation, to verify the presence and precise location of Pismo clarkia, a subsequent "blooming season" (May through July) survey shall be completed when Pismo clarkia is known to be in bloom by a county-qualified botanist (from the County approved list of qualified botanists), and submitted to the County for review and approval.

Where the survey identifies the lack of, or very low potential for, Pismo clarkia, that portion of the potential Pismo clarkia designation shall be removed from protection and allowed for future development.

Where the survey identifies populations of Pismo clarkia or high potential thereof, the area(s) shall be protected as non-buildable areas and an open space easement established. If either additional existing Pismo clarkia populations or proposed restoration areas are found outside of the "potential" areas, these additional areas will also be protected. Fencing, or other county acceptable means, shall be installed to clearly designate these protected areas.

In the event that the proposed access driveway would disturb existing Pismo clarkia populations, all efforts shall be made to realign the access driveway to avoid the population(s). If this is not possible, **prior to map recordation**, a Pismo clarkia recovery and restoration plan will be prepared by a county-qualified botanist familiar with native plants. The plan shall, at a minimum, include the following components:

- a. Mitigation plantings for the loss of existing Pismo clarkia shall be located in areas that have the necessary plant requirements to successfully re-establish the population without requiring any long-term artificial means.
- b. The program must provide a minimum 2:1 replacement ratio of plants and surface area lost, unless a higher ratio is required by another resource agency (e.g., CA Dept. of Fish & Game, US Fish and Wildlife).
- c. Sufficient temporary irrigation system and/or other treatments shall be identified for successful reestablishment.
- d. Plant stock shall be from salvaged plants within areas to be disturbed or seed stock from existing and remaining population, as determined appropriate by the botanist.
- e. Prior to commencement of grading, grubbing or construction, whichever occurs first, the applicant shall file a bond or performance security with the County to complete restoration and maintenance of plantings for a five (5) year period. This bond shall also include monitoring for all biological impacts associated with the construction phase. This bond shall be released after five years if it is shown that the population has been successfully reestablished.

- f. Should the replanted areas prove unsuccessful, additional and comparable areas shall be found by a county-qualified botanist and a restoration effort as described above shall be established. If suitable areas cannot be found on the subject property, acceptable off-site areas that have no potential for development shall be pursued.
- g. All future utilities shall be within or immediately adjacent to the proposed access driveway.

Prior to map recordation, the applicant shall show on an additional map sheet, as shown on Exhibit A, no new development or habitat disturbance shall be allowed within Exclusion Area "A". For the existing residence on Parcel 1 (unless demolished), habitat modification (e.g., trimming of oak trees to create a non-contiguous canopy, removal of flammable understory) shall be allowed within 30 feet of the residence.

Upon submittal of subdivision improvements or prior to map recordation, whichever occurs first, the applicant shall identify the number of oak trees to be removed or impacted from improvements related to the access driveway. All efforts shall be made to minimize impacts to existing oak trees.

For oaks that must be removed, they shall be replaced in-kind at a 4:1 ratio from stock grown in deep vertical tubes or deep, one gallon containers. Oak trees impacted, but not removed, shall be replaced at a 2:1 ratio. Any grading or site disturbance within the dripline of an oak tree is considered an impact to a tree.

Prior to recordation of the parcel map, the applicant shall submit a tree replacement plan to be approved by the Planning Department and the Environmental Division showing the species and location of the replacement trees. This plan shall also show how the trees will be successfully established, (e.g., use and scheduling of temporary irrigation methods, regular weeding program, amendment applications, etc.). Should replacement trees be necessary, Exclusion Area "A" may be enlarged to accommodate this effort.

All trees to remain on-site that are within fifty feet of the construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree.

Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Geology
and Soils

GS-1

Prior to issuance of construction permits, the applicant shall submit a drainage plan to the for review and approval by the Department of Planning and Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.

Prior to recordation of the parcel map, the applicant shall submit a sedimentation and erosion control plan for review and approval by the Department of Planning and Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season and following existing contours to the greatest extent feasible.

Prior to recordation of the parcel map, the applicant shall submit a grading plan for the proposed access driveway with the subdivision improvement plans which shows the amount of cut and fill as well as a practical plan and profile. This plan shall also show the existing trees with the number of trees to be removed and impacted.

3-39

4-31
DATE: February 24, 2003

RECEIVED

DEVELOPER'S STATEMENT FOR
TLC AND DEVELOPMENT, LLC PARCEL MAP (S010316P)
ED 02-063

APR 4 2003

Planning & Bldg

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Biological Resources

1. **Prior to map recordation**, the applicant shall show on an additional map sheet the "development exclusion areas 'A' and 'B'", as shown on the tentative parcel map (see attached Exhibit "A"), unless amended by items #5 and #11 below. All future development shall be constructed outside of these exclusion areas.
2. **At the time of application for construction permits**, the applicant shall clearly delineate the recorded development exclusion areas on the project plans. All new development shall be located outside of these exclusion areas.
3. No further ground disturbing activities within the potential Pismo clarkia areas shall occur until they have been evaluated by an "in-season" survey (prepared by county-qualified botanist and reviewed by county) and appropriate mitigation incorporated into project design.

Monitoring: Will be shown on an additional map sheet. Building inspector will verify location from building plot plan.

Special Status Plants

4. Based in part on the Botanical Report (Sierra Delta Corporation, November 2002) prepared for the project site, the potential exists for Pismo clarkia within the identified habitat areas on Proposed Parcels 1, 2 and 3. **Prior to map recordation**, the applicant shall prepare a second map sheet, for county review and approval, that shows all Pismo clarkia habitat on site. Unless shown otherwise from item #5 below, all future buildings and areas of disturbance on Parcels 1, 2 and 3 shall be located outside the areas of potential Pismo clarkia habitat, as shown on the attached Exhibit A.

No activities (e.g., installing structures, grading, site disturbance, native vegetation removal, access by domestic livestock, vehicle storage, landscaping, mowing, disking, etc.) likely to negatively affect the Pismo clarkia habitat shall occur within the areas of Pismo clarkia habitat.

In addition, an open space easement, including a Memo of Understanding (MOU) with the California Department of Fish and Game, shall be established for the areas identified as significant.

If the survey identifies that Pismo Clarkia exists in the area of the proposed access road on Parcel

- 1, an alternative location for the access driveway may be required. The alternative access shall be reviewed and approved by the California Department of Fish and Game and the Planning Department.
5. **Prior to map recordation**, to verify the presence and precise location of Pismo clarkia, a subsequent "blooming season" (May through July) survey shall be completed when Pismo clarkia is known to be in bloom by a county-qualified botanist (from the County approved list of qualified botanists), and submitted to the County for review and approval.
- a. Where the survey identifies the lack of, or very low potential for, Pismo clarkia, that portion of the potential Pismo clarkia designation shall be removed from protection and allowed for future development.
 - b. Where the survey identifies populations of Pismo clarkia or high potential thereof, the area(s) shall be protected as non-buildable areas and an open space easement established. If either additional existing Pismo clarkia populations or proposed restoration areas are found outside of the "potential" areas, these additional areas will also be protected. Fencing, or other county acceptable means, shall be installed to clearly designate these protected areas.
6. In the event that the proposed access driveway would disturb existing Pismo clarkia populations, all efforts shall be made to realign the access driveway to avoid the population(s). If this is not possible, **prior to map recordation**, a Pismo clarkia recovery and restoration plan will be prepared by a county-qualified botanist familiar with native plants. The plan shall, at a minimum, include the following components:
- a. Mitigation plantings for the loss of existing Pismo clarkia shall be located in areas that have the necessary plant requirements to successfully re-establish the population without requiring any long-term artificial means.
 - b. The program must provide a minimum 2:1 replacement ratio of plants and surface area lost, unless a higher ratio is required by another resource agency (e.g., CA Dept. of Fish & Game, US Fish and Wildlife).
 - c. Sufficient temporary irrigation system and/or other treatments shall be identified for successful reestablishment.
 - d. Plant stock shall be from salvaged plants within areas to be disturbed or seed stock from existing and remaining population, as determined appropriate by the botanist.
 - e. Prior to commencement of grading, grubbing or construction, whichever occurs first, the applicant shall file a bond or performance security with the County to complete restoration and maintenance of plantings for a five (5) year period. This bond shall also include monitoring for all biological impacts associated with the construction phase. This bond shall be released after five years if it is shown that the population has been successfully reestablished.
 - f. Should the replanted areas prove unsuccessful, additional and comparable areas shall be found by a county-qualified botanist and a restoration effort as described above shall be established. If suitable areas cannot be found on the subject property, acceptable off-site areas that have no potential for development shall be pursued.
7. All future utilities shall be within or immediately adjacent to the proposed access driveway.

Monitoring: Will be shown on an additional map sheet. Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

Tree Protection/Replacement

In an effort to protect the existing oak woodland habitat, the following measures shall be implemented:

8. **Prior to map recordation**, the applicant shall show on an additional map sheet, as shown on Exhibit A, no new development or habitat disturbance shall be allowed within Exclusion Area "A". For the existing residence on Parcel 1 (unless demolished), habitat modification (e.g., trimming of oak trees to create a non-contiguous canopy, removal of flammable understory) shall be allowed within 30 feet of the residence.
9. **Upon submittal of subdivision improvements or prior to map recordation**, whichever occurs first, the applicant shall identify the number of oak trees to be removed or impacted from improvements related to the access driveway. All efforts shall be made to minimize impacts to existing oak trees.
10. For oaks that must be removed, they shall be replaced in-kind at a 4:1 ratio from stock grown in deep vertical tubes or deep, one gallon containers. Oak trees impacted, but not removed, shall be replaced at a 2:1 ratio. Any grading or site disturbance within the dripline of an oak tree is considered an impact to a tree.
11. **Prior to recordation of the parcel map**, the applicant shall submit a tree replacement plan to be approved by the Planning Department and the Environmental Division showing the species and location of the replacement trees. This plan shall also show how the trees will be successfully established, (e.g., use and scheduling of temporary irrigation methods, regular weeding program, amendment applications, etc.). Should replacement trees be necessary, Exclusion Area "A" may be enlarged to accommodate this effort.
12. All trees to remain on-site that are within fifty feet of the construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree.

Monitoring: Building inspector will verify compliance with approved plans. The Landscape Contractor shall submit a letter, on an annual basis, for a period of three years, describing the health of the oak trees in and around the area of grading.

13. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Monitoring: Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree trimming issues.

Air Quality

14. **Prior to demolition of the existing residence**, the applicant shall contact the Air Pollution Control District in order to assure that issues surrounding demolition and disposal of asbestos containing material are properly addressed.
15. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Drainage Plan

16. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan to the for review and approval by the Department of Planning and Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.

Sedimentation and Erosion Control

17. **Prior to recordation of the parcel map**, the applicant shall submit a sedimentation and erosion control plan for review and approval by the Department of Planning and Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season and following existing contours to the greatest extent feasible.
18. **Prior to recordation of the parcel map**, the applicant shall submit a grading plan for the proposed access driveway with the subdivision improvement plans which shows the amount of cut and fill as well as a practical plan and profile. This plan shall also show the existing trees with the number of trees to be removed and impacted.

ADDITIONAL MAP SHEET

Prior to recordation of the final map, the applicant shall prepare an additional map sheet, to be approved by the Director of Planning and Building and recorded with the final map. The additional map sheet shall include the following:

Biological Resources

19. **Prior to map recordation**, the applicant shall show on an additional map sheet the "development exclusion areas 'A' and 'B'", as shown on the tentative parcel map (see attached Exhibit "A"), unless amended by items #5 and #11 below. All future development shall be constructed outside of these exclusion areas.

20. **At the time of application for construction permits**, the applicant shall clearly delineate the recorded development exclusion areas on the project plans. All new development shall be located outside of these exclusion areas.
21. No further ground disturbing activities within the potential Pismo clarkia areas shall occur until they have been evaluated by an "in-season" survey (prepared by county-qualified botanist and reviewed by county) and appropriate mitigation incorporated into project design.
22. Based in part on the Botanical Report (Sierra Delta Corporation, November 2002) prepared for the project site, the potential exists for Pismo clarkia within the identified habitat areas on Proposed Parcels 1, 2 and 3. **Prior to map recordation**, the applicant shall prepare a second map sheet, for county review and approval, that shows all Pismo clarkia habitat on site. Unless shown otherwise from item #5 below, all future buildings and areas of disturbance on Parcels 1, 2 and 3 shall be located outside the areas of potential Pismo clarkia habitat, as shown on the attached Exhibit A.

No activities (e.g., installing structures, grading, site disturbance, native vegetation removal, access by domestic livestock, vehicle storage, landscaping, mowing, discing, etc.) likely to negatively affect the Pismo clarkia habitat shall occur within the areas of Pismo clarkia habitat.

In addition, an open space easement, including a Memo of Understanding (MOU) with the California Department of Fish and Game, shall be established for the areas identified as significant.

23. In the event that a Pismo clarkia recovery and restoration plan is required, the plan shall, at a minimum, include the following components:
 1. Mitigation plantings for the loss of existing Pismo clarkia shall be located in areas that have the necessary plant requirements to successfully re-establish the population without requiring any long-term artificial means.
 2. The program must provide a minimum 2:1 replacement ratio of plants and surface area lost, unless a higher ratio is required by another resource agency (e.g., CA Dept. of Fish & Game, US Fish and Wildlife).
 3. Sufficient temporary irrigation system and/or other treatments shall be identified for successful reestablishment.
 4. Plant stock shall be from salvaged plants within areas to be disturbed or seed stock from existing and remaining population, as determined appropriate by the botanist.
 5. Prior to commencement of grading, grubbing or construction, whichever occurs first, the applicant shall file a bond or performance security with the County to complete restoration and maintenance of plantings for a five (5) year period. This bond shall also include monitoring for all biological impacts associated with the construction phase. This bond shall be released after five years if it is shown that the population has been successfully reestablished.
 6. Should the replanted areas prove unsuccessful, additional and comparable areas shall be found by a county-qualified botanist and a restoration effort as described above shall be established. If suitable areas cannot be found on the subject property, acceptable off-site areas that have no potential for development shall be pursued.
24. All future utilities shall be within or immediately adjacent to the proposed access driveway.

Tree Protection/Replacement

24. Other than the access driveway, no new development or habitat disturbance shall be allowed within Exclusion Area "A". One exception for the existing residence on Parcel 1 (unless demolished), would allow habitat modification (e.g., trimming of oak trees to create a non-contiguous canopy, removal of flammable understory) within 30 feet of the residence for fire safety purposes.
25. All trees to remain on-site that are within fifty feet of any construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree.
26. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.


Air Quality

27. **Prior to demolition of the existing residence**, the applicant shall contact the Air Pollution Control District in order to assure that issues surrounding demolition and disposal of asbestos containing material are properly addressed.
28. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

Drainage Plan

29. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan to the for review and approval by the Department of Planning and Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.

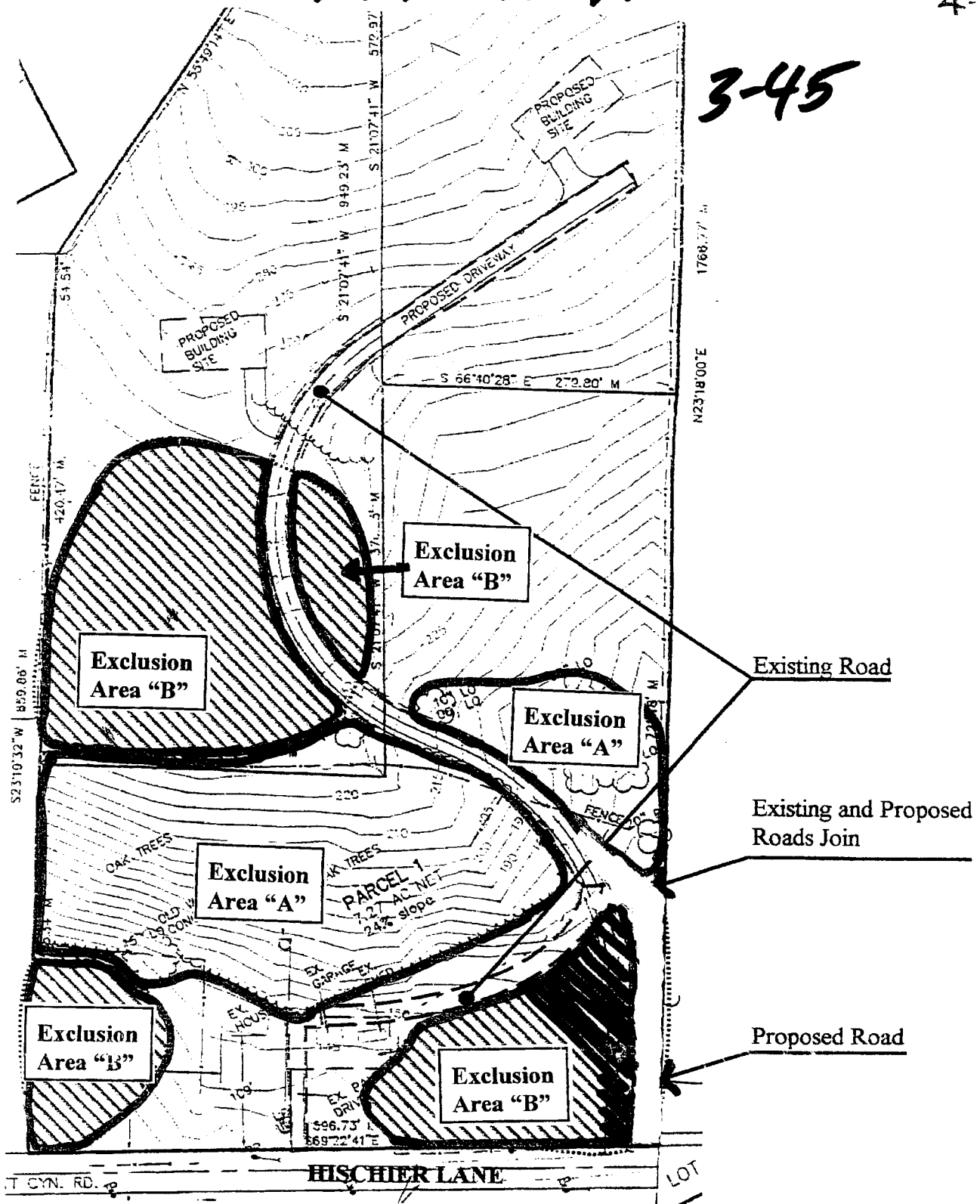
The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)

3/5/03
Date

William M Betts
Name (Print)

3-45




 : Areas of Potentially Occurring Pismo clarkia (*Clarkia speciosa ssp. immaculata*)

Figure 1. Site Detail Map

Source: Wilson Land Surveys, 2001, Tentative Parcel Map, Hirsch Lane, Arroyo Grande, California, APN: 044-281-009, Lot 13.



4-38

Exhibit

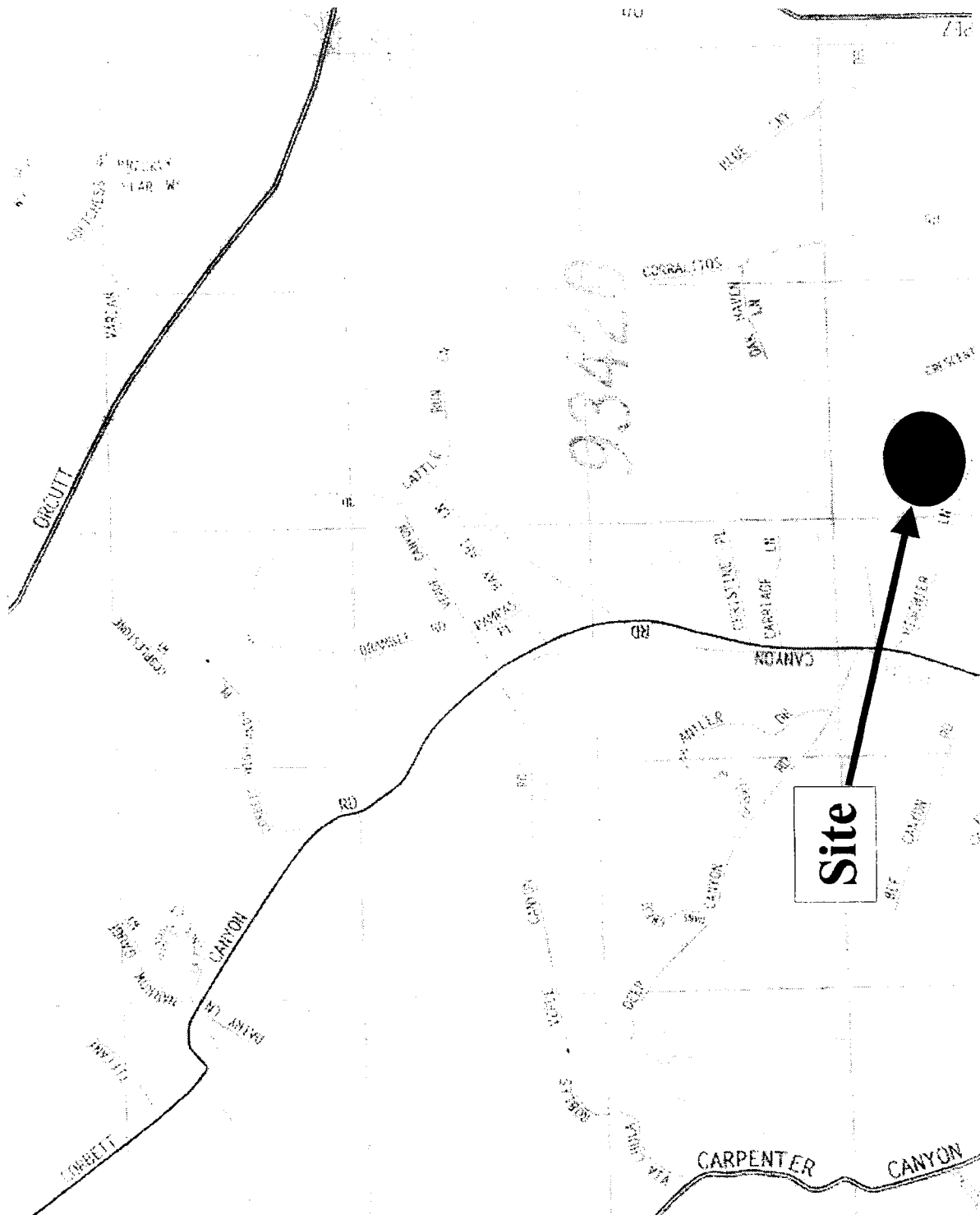
VICINITY MAP



Project

TLC and Development Parcel Map

CO-02-107 (S010316P)



[illegible]

Site

Exhibit
Land Use Category Map

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